

JOURNAL OF THE SENATE.

WEDNESDAY, APRIL 3, 1907.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President. Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—28.

A quorum present.

Prayer by the Chaplain.

Mr. Willis moved that the reading of the Journal be dispensed with, which motion was agreed to.

The Journal was corrected and approved.

The following message was received from the Governor:

State of Florida,
Executive Department.

Tallahassee, Fla., April 3, 1907.

Hon. W. Hunt Harris,
President of the Senate,
Tallahassee, Fla.

Sir:

I have the honor to transmit herewith a report of the commission appointed, under and in pursuance of Chapter 5454, Acts of 1905, the same being a commission of six to inspect, examine into, report and recommend to this Legislature whatever in their opinion is requisite or necessary and best suited to the welfare of the insane in this State. Respectfully submitted,

N. B. BROWARD, Governor.

REPORT OF COMMISSION.

The Commission of six have complied with the provisions of Chapter 5454, Acts of 1905, which contains the following words:

"Section 1. That a special Commission of six is hereby created, consisting of the Governor, Comptroller, State Health Officer and three other citizens of this State, who shall be appointed by the Governor, who shall inspect, examine into, report and recommend to the next Legislature whatever in their opinion is necessary or requisite and best suited to the welfare of the insane in this State in every way, including a change of location in whole or in part, that the Hospital for the Insane may be placed on the highest plane and in keeping with the most advanced and improved methods for the care of such institutions, together with the most approved method of treatment of insane persons."

1. Each of us has personally visited the Hospital for the Indigent Insane of Florida, at Chattahoochee, and has investigated fully the conditions therein.

2. The institution, as now maintained by the State, is a combined Asylum or Retreat for the physically infirm, and for a variety of mentally disturbed persons, as well as for those who are truly and really insane.

3. If the State proposes to maintain a hospital for the indigent insane of Florida, in accordance with Chapter 5454, then the Legislature should enact laws to that effect. We, your Commissioners, are fully assured that the best interests of the insane, and the carrying out of the purpose of Chapter 5454, require the removal of those who are insane from the present locality to some other suitable place in the State.

4. Some of the older buildings now in use being soaked with filth, particularly in the flooring, should be condemned and the floors torn out to be replaced with new material, or altogether razed to the ground and built up anew, and this state of facts, in our judgment, render it more easy and more economical that the insane patients should all be taken to a new locality.

5. The establishment of such a Hospital for the Insane as is contemplated in the Chapter from which our

quotation is made, contemplates changes in our present methods of adjudging an individual to be insane, as well as in the method of conveying him or her to the hospital. We recommend, therefore, that you require that ample time be taken to thoroughly investigate the condition of persons who give evidence of mental disturbance; that the investigation be held in the county court; that a jury of six persons be impaneled to try the cause and that a commission of three, two of them being physicians, shall be required to examine the patient and testify to the court with regard to his or her sanity or insanity, and that the examination shall not be deemed complete until all reasonable doubts as to his or her condition shall be entirely removed.

We furthermore recommend that the County Judge be empowered to order the payment of whatever services have been necessary in conveying the patient decently and orderly to the court, from such funds of the county as are not otherwise appropriated, and the insanity of the patient having been thus carefully established, we recommend that the Superintendent of the Hospital for the Insane be required on due notification, to send one or more attendants from this institution to bring the patient with due care and decency to the institution. The necessary expense for his or her transportation being certified to the County Judge by the Superintendent of the Hospital and by him ordered paid from the funds of the county.

6. Your Commissioners find that our convictions as to the needs of such treatment of the insane as is contemplated by our appointment is so well expressed in a report made by a committee of the Legislature of 1903, that we take the liberty to quote largely from it, thereby giving you the benefit not only of our personal convictions, but also of the convictions of a committee of the Legislature itself on a former occasion:

"The committee very carefully considered in minute detail:

First: The general purpose for which the State Hospital for the Indigent Insane was instituted, and

Second: Such revision of laws, regulations or rules for and of the hospital as may tend in the future to a better system of admission, and a more careful discrimination in commitment.

The committee finds from personal observation and inquiry, and also from reports and statements of the superintendent of the hospital, that there are persons now in the State Hospital for the Indigent Insane, as patients therein, who although adjudged insane, and have been committed as insane, are not insane; that is to say, they are not bereft of reason, or of responsible thought and action.

The intention of the Legislature was to elicit an expression of opinion from the committee on the general conduction of the hospital, its needs and requirements, and not that the committee should sit in investigation of certain and particular acts or transactions, which procedure would incur too great an expense to the State and seriously embarrass the individual members of the committee, which the resolution did not contemplate or provide for, and which besides, very properly pertains to the supervision and authority of the Board of State Institutions.

The committee is of the opinion that, although these persons may be of a low order of intelligence, and may be indigent, yet that they are not properly inmates of an institution designed and intended for the care and treatment of insane persons. The committee believes that these persons should be excluded from an insane hospital and placed in another institution to be hereafter provided for by the State for the indigent of that class.

The committee believes that the scope of charitable work and the purpose which the State Hospital for the Insane was originally intended to fulfill, to be not only the isolation of the indigent insane of the State, but that by a carefully devised treatment these patients may under improved scientific methods, hope for a permanent cure in many instances, or at least such improvements as may permit their return with safety to their homes, and thus relieve the State of the burden of expense and care.

The committee believes that every care and comfort should be given to a class of afflicted citizens whose very hopeless and childlike dependent condition appeals most strongly to every tender Christian sentiment in the human heart, and to philanthropic thought. The committee believes that if the State undertakes to conduct an institution for the indigent insane, the management should be liberal, and the best that can be had should be pro-

vided, not only the buildings and furnishings, but the professional and administrative talent should be procured with an especial and single idea of competency and ability in this work which may be classed as skilled and expert in character. To obtain experienced and skillful administration, those whose training and life has been devoted to the treatment of the insane, liberal salaries must be offered and should be paid. Cheapness in administration in any part of the hospital for the State's insane, should not be tolerated. Efficiency should be the requirement, and efficient management at whatever cost. If the State is to maintain a charity of this kind, let it be conducted rightly, scientifically, and remedially, that credit may be reflected on the State, or else abandon any attempt at makeshift or subterfuge in management.

The committee finds that there is a lack of careful classification of the inmates of the hospital and a non-separation into groups of those suffering from different types of insanity, from others of diseased and feeble mind, but who are not insane. This fact has already been alluded to, but is referred to again because it is believed that a classification on admission would tend to at once bring to the notice of the Board of State Institutions the commitment of those, who, although of disordered mind, are not insane, and are not properly the wards of the State in this particular. The committee finds that the buildings are not constructed with a view of efficiently treating the insane. The new structures are comfortable, but that is about all that can be said in their favor. * * * * *

The committee finds that the general hospital facilities for treatment of ordinary, acute and other ailments, which insane persons are as liable to equally with persons of sound mind, are not sufficient, nor are the wards now used for the purpose well equipped or arranged. This is due to no fault of the Superintendent or the physician of the institution, but to a lack of appropriation by the Legislature of funds for the purchase of instruments and appliances which the committee deems absolutely needful in a hospital of this nature.

The committee is impressed from observation and other means which it has acquired, that patients in the insane hospital are kindly and humanely treated by both officers and attendants, and that every effort is made for comfort and happiness, therefore, any criticism of man-

agement which the committee makes, it is desired shall be understood to be directed against faulty methods which are due to the statute laws and not against the officials of the institution. The committee submits for the careful consideration of the Legislature for 1903, the following:

The committee believes that too often, through indifferent and careless methods of examination a commitment is made to the Insane Hospital of those whose condition does not warrant the confinement, and that in many instances unworthy persons are admitted as free patients, when either their own financial condition or that of relatives is abundantly able to relieve the State of this charity."

Your Commission would suggest that the buildings and grounds at Chattahoochee, with proper repairs and betterments from time to time, might be used as a home for such needy persons as have been above mentioned, who are not themselves insane. In view of all these facts, your Commission continues to quote with approbation from the report of 1903:

"The committee recommends the separation of the violently insane from those of peaceful and harmless tendencies."

"The committee also recommends the separation of the criminal class of insane from each other and from all other inmates."

"The committee recommends such revision of the postal rules of the hospital as shall give the Superintendent supervision over correspondence, but which in no wise will permit him to suspend or prevent the same," unless the same are manifestly improper.

"The committee especially recommends a revision of the Statute Laws of the State, relating to adjudging persons insane, and committing them to the Hospital for the Insane, as will protect the individual from unjust confinement or personal wrong."

"The committee recommends that the Superintendent of the hospital with the physicians of the hospital shall constitute a final and determining board on each and every case committed by the courts, before being permanently admitted to the hospital as a patient."

In order to bring these matters to the attention of the several committees of the Legislature and to both Senate

and House, the committee recommends action by the Legislature on the following subjects:

First. An act to amend procedure in cases of supposed insanity.

Second. An act to provide a home for indigent epileptics, idiots, feeble-minded, etc.

Third. An act to provide for a hospital for general purposes of sickness of an acute type, or other ailments not necessarily mental, at the home above indicated. * *

Although not charged as a specific duty in the resolution under which this report is made, yet as being pertinent to the subject of inquiry and recommendation which the resolution calls for, the committee has had under consideration a measure which it is thought will materially simplify the management of the Insane Hospital as well as other similar institutions, and those supported in part or in whole from the State's Treasury, and will relieve the Board of State Institutions of much work and interruption in the duties of office which bear directly upon the officials who compose the Board of State Institutions.

The committee recommends that the Legislature of 1903 shall establish a Commission of State Charities and Correction, which Board shall have control and management of the State Institutions of a charitable nature, together with all educational and eleemosynary organizations which are supported in whole or in part by the State."

Your present Commission have thoroughly satisfied themselves that the great growth and development of the State of Florida has so far increased the duties of the Governor and others, who with him form the present Board of State Institutions, as to make it utterly impossible that this work and all else that is laid upon them shall be satisfactorily done in the present way. The effect of overloading these officials of the State is not only to give them personal distress, but to render it impossible that the great ends for which their offices were created can be accomplished to the best advantage of the people of the State. We therefore, most earnestly urge upon the Legislature of 1907 the same recommendations which were made to your predecessors in 1903, with this additional statement that our experience and observation have convinced us that the additional four years have

greatly added to the responsibilities laid upon the Governor and his associates; that this Board of Charities and Corrections should consist of citizens, not more than three in number, who possess the most eminent character and ability available; that their time should be fully given to this great and growing branch of the State's work and that salaries should be paid them commensurate with their character and ability.

Your present Commission respectfully calls the attention of this Legislature to the fact that six years ago the committee of the House called attention to disorders on the grounds and near the grounds of the present State Hospital, which seriously affect the comfort and peace of the inmates, and quotes from the report of the committee of the House appointed to investigate the affairs of the State Insane Hospital in 1901, as follows:

"Your committee further suggests that the Board of State Institutions shall have authority to employ one or more suitable persons to act as police officers, to arrest intruders, trespassers and persons guilty of improper or disorderly conduct upon the grounds of the institution or near them. These officers to have the authority of deputy sheriffs to eject trespassers from the hospital grounds, buildings or lands, bringing said offenders before the County Judge of the county in which the offense was committed or before a Justice of the Peace in said district."

Your present Commission would amend this suggestion of the committee of 1901 by recommending that the Superintendent of the Hospital for the Insane or some person recommended by him, and likewise for the home for the incurables, to be clothed with the powers of a Justice of the Peace and that the reservations owned by the State for these purposes shall constitute a Justice of Peace district.

Your Commission cannot close their report without commending in the highest terms the present administration of the Hospital for the Indigent Insane at Chatahoochee, notwithstanding the meagre provision now made by the State. We found that the Superintendent, the physicians, and the staff of nurses were discharging their delicate duties in such a manner as to secure for the inmates every comfort possible under existing conditions. We noted that the presence of the Superintendent

and of the physicians was hailed with demonstrations of joy and affection wherever they went with us over the grounds and through the buildings—such demonstrations as could never be counterfeited by the patients in the hospital.

We, therefore, feel that these faithful servants richly merit the approval and confidence of every good citizen in the State.

All of which is respectfully submitted.

N. B. BROWARD, Governor,

A. C. CROOM, Comptroller,

JOSEPH Y. PORTER, State Health Officer,

S. B. CAMERON,

WM. E. BOGGS,

Commission.

Mr. Clarke moved that the message be received and that the accompanying report be spread upon the Journal, and that 500 copies be printed.

Which was agreed to.

The President announced the appointment of the following standing committees of the Senate:

JUDICIARY.

H. H. Buckman, Chairman.

John S. Beard,

Thomas F. West,

L. C. Massey,

Frank W. Sams,

John W. Henderson,

E. E. Canova,

S. W. Clark,

James E. Broome,

J. B. Crews,

J. R. Willis,

Park M. Trammell,

E. S. Crill,

Jos. H. Humphries,

F. M. Hudson,

F. P. Cone,

CONSTITUTIONAL AMENDMENTS.

John S. Beard, Chairman.

H. H. Buckman,

Frank W. Sams,

James E. Broome,

J. R. Willis.

APPROPRIATIONS.

Frank Adams, Chairman.

Jos. H. Humphries,

H. H. McCreary,

James E. Crane,

John W. Henderson.

MINING AND PHOSPHATE.

C. L. Leggett, Chairman.

W. K. Jackson,

E. S. Crill,

I. N. Withers,

F. P. Cone.

TEMPERANCE.

Jos. H. Humphries, Chairman.

James E. Crane,

I. N. Withers,

W. M. Girardeau,

F. W. Sams.

ENROLLED BILLS.

F. W. Sams, Chairman.

James E. Broome,

E. E. Canova,

Dr. Theop. West,

J. B. Crews.

CANALS AND TELEGRAPH.

J. B. Crews, Chairman.

John S. Beard,

H. H. Buckman,

James E. Crane,

S. W. Clark.

IMMIGRATION.

D. H. Baker, Chairman.

F. M. Hudson,

W. K. Jackson,

John Neel,

E. L. Cottrell.

STATE AFFAIRS.

John Neel, Chairman.

L. W. Zim,

Thomas S. Davis,

Thomas F. West,

F. M. Hudson.

PUBLIC HEALTH.

Dr. Theop. West, Chairman.

James E. Crane,	W. K. Jackson,
H. H. Buckman,	E. S. Crill.

PUBLIC PRINTING.

H. H. McCreary, Chairman.

D. H. Baker,	W. K. Jackson,
A. J. Alford,	James E. Broome.

FISHERIES.

F. W. Sams, Chairman.

A. J. Alford,	D. H. Baker,
Dr. Theop. West,	L. O. Massey.

MILITIA.

Thomas F. West, Chairman.

Park M. Trammell,	L. C. Massey,
D. H. Baker,	W. M. Girardeau.

CLAIMS.

W. K. Jackson, Chairman.

Jos. H. Humphries,	John R. Willis,
Frank Adams,	John W. Henderson.

INDIAN AFFAIRS.

F. M. Hudson, Chairman.

J. B. Crews,	C. L. Leggett,
Thomas S. Davis,	E. L. Cottrell.

GAME.

John R. Willis, Chairman.

James E. Broome,	A. J. Alford,
John Neel,	Jos. H. Humphries.

MINERAL RESOURCES.

L. W. Zim, Chairman.

Thomas S. Davis,	W. K. Jackson,
A. J. Alford,	D. H. Baker.

STATE PRISONS AND CONVICTS.

A. J. Alford, Chairman.

E. E. Canova,	Dr. Theop. West,
F. P. Cone,	L. W. Zim.

FORESTRY.

F. P. Cone, Chairman.

C. L. Leggett,	I. N. Withers,
W. M. Girardeau.	John Neel.

PUBLIC ROADS AND HIGHWAYS.

S. W. Clark, Chairman.

James E. Crane.	Frank Adams,
E. E. Canova,	John Neel.

DRAINAGE AND RECLAMATION.

John S. Beard, Chairman.

John R. Willis,	Frank Adams,
Jos. H. Humphries,	F. M. Hudson.

PENSIONS.

James E. Broome, Chairman.

W. K. Jackson,	A. J. Alford,
F. P. Cone,	E. L. Cottrell.

RECORDED PROCEEDINGS.

I. N. Withers, Chairman.

Park M. Trammell,	J. B. Crews,
E. E. Canova,	E. L. Cottrell.

FINANCE AND TAXATION.

E. S. Crill, Chairman.

H. H. McCreary,	John R. Willis,
H. H. Buckman,	Thomas F. West.

AGRICULTURE.

E. L. Cottrell, Chairman.

Dr. Theop. West,	J. B. Crews.
H. H. McCreary,	L. W. Zim.

CORPORATIONS.

Park M. Trammell, Chairman.

F. W. Sams,	S. W. Clark,
John W. Henderson.	Thomas S. Davis.

RAILROADS.

John W. Henderson, Chairman.

S. W. Clark,	James E. Crane,
E. S. Crill,	Thomas F. West.

LEGISLATIVE EXPENSES.

L. C. Massey, Chairman.

John S. Beard,	E. L. Cottrell,
Dr. Theop. West,	E. S. Crill.

EDUCATION.

John W. Henderson, Chairman.

Frank Adams,	H. H. McCreary,
Jos. H. Humphries,	H. H. Buckman.

PRIVILEGES AND ELECTIONS.

Frank Adams, Chairman

Jos. H. Humphries,	D. H. Baker,
H. H. Buckman,	John W. Henderson.

ENGROSSED BILLS.

	S. W. Clark, Chairman.
Frank Adams,	Dr. Theop. West,
Park M. Trammell,	E. L. Cottrell,

PUBLIC LANDS.

	J. B. Crews, Chairman.
D. H. Leggett,	W. M. Girardeau,
F. P. Cone,	L. W. Zim.

STATE BOUNDARIES.

	W. M. Girardeau, Chairman.
L. C. Massey,	F. M. Hudson,
E. E. Canova,	I. N. Withers.

RULES.

	E. E. Canova, Chairman.
I. N. Withers,	L. C. Massey,
H. H. McCreary,	Park M. Trammell.

ORGANIZED LABOR.

	E. P. Cone, Chairman.
John Neal,	Thomas S. Davis,
L. W. Zim,	W. M. Girardeau.

CITY AND COUNTY ORGANIZATION.

	James E. Crane, Chairman.
Frank W. Sams,	John R. Willis,
E. S. Crill,	Jos. H. Humphries.

COMMERCE AND NAVIGATION.

	Thomas S. Davis, Chairman.
James E. Crane,	Frank W. Sams,
John S. Beard,	F. M. Hudson.

W. HUNT HARRIS,
President Senate.

CONSIDERATION OF RESOLUTIONS.

Mr. Sams moved to reconsider the vote by which Senate Resolution No. 2, referring to the appointment of a committee of three to select two stenographers to be known as official stenographers of the Senate, was lost yesterday.

A yea and nay vote was called for. Upon the call of the roll the vote was—

Yeas—Mr. President, Senators Beard, Buckman, Canova, Clark, Crane, Crill, Davis, Hudson, Humphries, Jackson, Massey, Neel, Sams.

Nays—Senators Adams, Alford, Baker, Broome, Cone, Crews, Henderson, Leggett, McCreary, Trammell, Willis, Withers, West (Fourth District), Zim.

Yeas—14.

Nays—14.

So the motion to reconsider did not prevail.

Senate Resolution No. 3, by Mr. Clarke, was taken up, and read as follows:

Resolved, That the chair appoint a committee of three to draft suitable resolutions on the deaths of Senators Carter and Lee, and report to the Senate.

The resolution was amended to include the name of Senator Winburn.

Mr. Clarke moved the adoption of the resolution as amended.

Which was agreed to.

Mr. Massey offered the following—

Senate Resolution No. 4:

Resolved, That 300 copies of the Rules of the Senate, with the list of committees attached, be printed for the use of the Senate.

Mr. Massey moved to adopt the resolution.

Which was agreed to.

Mr. Adams offered the following—

Senate Resolution No. 5:

Resolved, That the daily reading of the Journal be dispensed with.

Mr. Adams moved the adoption of the resolution.

Which was agreed to.

Mr. Henderson offered the following—

Senate Resolution No. 6:

Resolved, That when any member of the Senate shall desire a copy of the General Statutes or Acts or Session Laws of the State of Florida, for his use during the session, he shall make request for the same in writing to the Sergeant-at-Arms of the Senate, who shall make requisition on the Secretary of State for the same. The Secretary of State shall furnish such copy or copies of the Laws or Acts upon such requisition, taking the receipt of the Sergeant-at-Arms therefor. The Sergeant-at-Arms shall deliver the same to the Senator making such request, taking his receipt for the same.

Mr. Henderson moved the adoption of the resolution.

Which was agreed to.

Mr. Buckman offered the following—

Senate Resolution No. 7:

Be it resolved by the Senate of the State of Florida, That the Senate Judiciary Committee be allowed a clerk.

Which was read.

Mr. Buckman moved the adoption of the resolution.

Which was agreed to.

Mr. Clarke offered the following—

Senate Resolution No. 8:

Resolved, That the Committee on Engrossed Bills be allowed clerical aid sufficient to do the work of said committee.

Which was read.

Mr. Clarke moved the adoption of the resolution.

Which was agreed to.

Mr. Crane offered the following—

Senate Resolution No. 9:

Resolved by the Senate, That the chairmen of the Committees on City and County Organization and Legislative Expenses be authorized to employ a clerk to serve these committees.

Which was read.

Mr. Crane moved the adoption of the resolution.

Which was agreed to.

Mr. Canova offered the following—

Senate Resolution No. 10:

Resolved, That the Committees of Rules and Public Roads and Highways be allowed a clerk.

Which was read.

Mr. Canova moved the adoption of the resolution.

Which was agreed to.

Mr. Neel offered the following—

Senate Concurrent Resolution No. 2:

Be it resolved by the Senate, the House of Representatives concurring, That a committee, to be composed of two on the part of the Senate and three from the House of Representatives, be appointed to visit the State University at Gainesville to examine into and investigate the present condition of that institution and report with as little delay as possible their findings to this Legislature, so that the members thereof can vote intelligently on all appropriations to maintain the same.

Which was read the first time and laid over under the rules.

Mr. Zim offered the following—

Senate Concurrent Resolution No. 3:

Be it resolved by the Senate, the House of Representatives concurring, That a committee, to be composed of one on the part of the Senate and two from the House of Representatives, be appointed to visit the Florida School for the Blind, Deaf and Dumb, to examine into and investigate the present condition of the Institute, ascertain what improvements may be deemed necessary and report, with as little delay as possible, their findings to this Legislature to the end that it may be advisable to at once provide for the same.

Which was read the first time and laid over under the rules.

Mr. Neel offered the following—

Senate Resolution No. 11:

Resolved, That the chairman of the Committee on Immigration, the chairman of the Committee on State Affairs and the chairman of the Committee on Public Printing be empowered to employ one clerk for the service of the three committees.

Mr. Neel moved the adoption of the resolution.

Which was agreed to.

Mr. Adams offered the following—

Senate Resolution No. 12:

Be it resolved, That the Chairman of the Committee on Appropriations be authorized to employ a clerk.

Mr. Adams moved the adoption of the resolution.

Which was agreed to.

Mr. Crews offered the following—

Senate Resolution No. 13:

Be it resolved, That the Committees on Canals and Telegraphs and Public Lands be allowed a clerk.

Mr. Crews moved the adoption of the resolution.

Which was agreed to.

Mr. Cone offered the following—

Senate Resolution No. 14:

Resolved, That the Chairman of the Committees on Privileges and Elections, Forestry, and Organized Labor be allowed to employ a clerk jointly.

Mr. Cone moved the adoption of the resolution.

Which was agreed to.

The following communication from the Secretary of State was received:

Office Secretary of State,
State of Florida,

Tallahassee, April 3, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

I have the honor to acknowledge receipt of a communication from the Senate calling my attention to Senate Resolution No. 57, adopted May 30, 1905, which reads as follows:

"The Secretary of State is directed to have the rooms now occupied by the Railroad Commission and the rooms occupied by the Adjutant General, vacated before the coming of the next Legislature, that the same may be used by the Senate committees during the Legislative session of 1907."

Section 78 of the General Statutes, 1906, provides that "under the direction of the Board of Commissioners of State Institutions, it shall be the duty of the Secretary of State to assign their respective rooms to State officers, and to provide committee rooms for the Legislature, not less than four in number, being two for the Senate and two for the House of Representatives."

The Constitution of the State of Florida, Article IV, Section 21, provides that the Secretary of State shall "have charge of the Capitol Building."

Under Section 78 of the General Statutes, quoted above, I have assigned the rooms in question to the Railroad Commissioners and the Adjutant General, who are State

officers. The same act requires that two rooms be set apart for the use of the Senate as committee rooms. Four rooms have been provided for this purpose. It does not appear to be within the power of the Secretary of State to remove State officers and their official records from any room in the capitol building. The resolution above quoted confers no such power.

Very respectfully,

H. CLAY CRAWFORD,

Secretary of State.

The message from the Secretary of State was referred to the Judiciary Committee.

Mr. Massey moved that the rules be waived and the introduction of bills be now taken up.

Which was agreed to by a two-thirds vote.

Hon. Eugene L. Cottrell presented his credentials, duly signed by the Secretary of State, showing that he had been duly elected Senator from the Twelfth Senatorial District of Florida.

Mr. Crill moved that Judge Parkhill, Justice of the Supreme Court, being present, be requested to administer the oath of office.

Which was agreed to.

Hon. Eugene S. Cottrell appeared at the bar of the Senate and was sworn in as Senator from the Twelfth Senatorial District for the unexpired term caused by the death of Hon. A. J. Winburn, the Senator-elect from the district.

The oath of office was administered by Mr. Justice Charles B. Parkhill of the Supreme Court of Florida, and Mr. Cottrell entered upon his duties.

INTRODUCTION OF BILLS.

By Mr. Zim—

Senate Bill No. 1:

A bill to be entitled an act to amend Section 3750 of the General Statutes of Florida, relative to the open season for deer.

Which was read the first time by its title and referred to the Committee on Game.

By Mr. Beard—

Senate Joint Resolution No. 1:

Senate joint resolution proposing an amendment to Section 1, Article 6, of the Constitution of the State of Florida, relating to suffrage.

Which was read the first time by its title and referred to the Committee on Constitutional Amendments.

By Mr. Adams—

Senate Joint Resolution No. 2:

Memorializing the Congress of the United States, through out Senators and Representatives at Washington, to have a survey made to determine the practicability of building a canal across the peninsula of Florida.

Which was read the first time by its title and referred to the Committee on Canal and Telegraphs.

By Mr. Buckman—

Senate Bill No. 2:

A bill to be entitled an act to amend Section 3851, General Statutes of the State of Florida, prescribing the number of grand jury.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Baker—

Senate Bill No. 3:

A bill to be entitled an act relating to grand jurors, and to repeal Section 3851 of the General Statutes of the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Baker—

Senate Bill No. 4:

A bill to be entitled an act authorizing the Railroad Commissioners of the State of Florida to employ special counsel.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Massey—

Senate Bill No. 5:

A bill to be entitled an act to enable the Council of the Town of Kissimmee City, Florida, to provide for the assessment of the property in said town for town purposes, and to levy and collect taxes thereupon.

Which was read the first time by its title and referred to the Committee on City and County Organizations.

By Mr. Massey—

Senate Bill No. 6:

A bill to be entitled an act to amend Section 1811 of the General Statutes fixing the regular terms of the Circuit Court of the Seventh Judicial Circuit.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Trammell—

Senate Bill No. 7:

A bill to be entitled an act requiring railroad companies and other common carriers to furnish separate accommodation for the separation of white and colored passengers on railroads, and conferring certain powers on the Railroad Commissioners of the State of Florida in relation thereto.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Trammell—

Senate Bill No. 8:

A bill to be entitled an act to provide for and require the payment of taxes on franchises, and to prescribe the method for the return, assessment and payment of said taxes.

Which was read the first time by its title and referred to the Committee on Corporations.

By Mr. Trammell—

Senate Bill No. 9:

A bill to be entitled an act providing that widows of deceased pensioners, upon satisfactory proof of marriage, residence in the State and death of husband, shall be entitled to the widow's pension, without proof of husband's service.

Which was read the first time by its title and referred to the Committee on Pensions.

By Mr. Trammell—

Senate Bill No. 10:

A bill to be entitled an act providing that pension applications, which are approved, shall be paid from the date of the filing of the same.

Which was read the first time by its title and referred to the Committee on Pensions.

By Mr. Trammell—

Senate Bill No. 11:

A bill to be entitled an act authorizing the Railroad Commission to inspect railroads and every part thereof; to require that all railroad tracks, rolling stock and all other railroad equipment, be kept in such condition as

will render travel over such railroads safe and expeditious. And, providing that the Commission may employ assistance to carry out the provisions of said act.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Trammell—

Senate Bill No. 12:

A bill to be entitled an act to prohibit discrimination between city and rural schools, where white children are taught, and to require that such schools shall be maintained from the general fund for terms of equal length.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. Trammell—

Senate Bill No. 13:

A bill to be entitled an act providing that the Trustees of the Internal Improvement Fund of the State of Florida and other State officials shall advertise for bids before selling the public lands of this State.

Which was read the first time by its title and referred to the Committee on Reclamation and Drainage.

By Mr. Trammell—

Senate Bill No. 14:

A bill to be entitled an act providing that express companies shall transport packages of merchandise not weighing over five pounds, anywhere in the State for twenty-five cents, and prescribing a penalty for a violation thereof.

Which was read the first time by its title and referred to the Committee on Corporations.

By Mr. Trammell—

Senate Bill No. 15:

A bill to be entitled an act to prescribe and regulate rates for the transmission of telegrams, and providing a penalty for a violation of said regulations.

Which was read the first time by its title and referred to the Committee on Telegraphs and Canal.

By Mr. Crane—

Senate Bill No. 16:

A bill to be entitled an act to create a State School Book Commission and to procure for use in the public schools of the State of Florida a uniform series of textbooks, and to define the duties and powers of said Commission; to make preparation for carrying this act into effect, and providing penalties for violation of same.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. Crane—

Senate Bill No. 17:

A bill to be entitled an act relating to the compensation of County Commissioners.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. Beard—

Senate Bill No. 18:

A bill to be entitled an act for the relief of Charles P. Bobe, former Constable, Second District, of Escambia County, State of Florida, for loss of fees during his suspension from said office.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Beard—

Senate Bill No. 19:

A bill to be entitled an act for the relief of James R. Landrum, former Justice of the Peace, Second District, of Escambia County, State of Florida, for loss of fees during his suspension from said office.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. West—

Senate Bill No. 20:

A bill to be entitled an act to prescribe and declare certain powers of the State Board of Health, and to authorize said Board to adopt, promulgate and enforce rules and regulations regarding the same.

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Broome—

Senate Bill No. 21:

A bill to be entitled an act to amend Section 2020 of the General Statutes of the State of Florida, relative to cost of proceedings in eminent domain.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Broome—

Senate Bill No. 22:

A bill to be entitled an act to amend Section 3146 of the General Statutes of the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Humphries—

Senate Bill No. 23:

A bill to be entitled an act to legalize the election held on the 28th day of December, A. D. 1906, in the County of Manatee, to determine by a majority vote of the duly qualified electors of said county whether or not a county court should be established in said county pursuant to Chapter 5566 of the Laws of Florida, Acts A. D. 1905, and to render valid said election and the result as shown by the returns thereof, and to declare legal and valid the County Court, established and organized in Manatee County by said election.

Which was read the first time by its title and referred to the Committee on City and County Organizations.

By Mr. Humphries—

Senate Bill No. 24:

A bill to be entitled an act fixing the time for holding the terms of the Circuit Court in and for the Sixth Judicial Circuit of the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Humphries—

Senate Bill No. 25:

A bill to be entitled an act amending Section 3182 of the General Statutes of the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Crill—

Senate Bill No. 26:

A bill to be entitled an act to provide for change of venire in criminal cases in Criminal Courts of Record.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Humphries—

Senate Bill No. 27:

A bill to be entitled an act to legalize the election held in the City of Bradentown on the 6th day of November, A. D. 1906, to determine by an affirmative vote of a majority of the qualified electors of said city who are resident owners of real estate within the corporate limits of said city, and who had paid taxes thereon for the last year when said such taxes were due, whether or not the bonds proposed by an ordinance entitled: "An ordinance to provide for the issuance of bonds of the City of Bradentown and for the expenditure and disbursement of funds re-

ceived from the sale of said bonds," passed by the City Council of said city on the 31st day of August, A. D. 1906, and approved by the Mayor of said city on the said 31st day of August, A. D. 1906, should be authorized and issued, and to declare and render valid and legal said election and notice thereof, and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

Which was read the first time by its title.

Mr. Humphries moved that the rules be waived, and that Senate Bill No. 27 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27 was read a second time by its title.

Mr. Humphries moved that the rules be further waived, and that Senate Bill No. 27 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baker, Broome, Buckman, Canova, Clark, Cone, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West, Zim.

Yeas—27.

Nays—None.

So the bill passed, title as stated.

By Mr. Massey—

Senate Bill No. 28:

A bill to be entitled an act to repeal Section 1421 of the General Statutes of the State of Florida, relative to filing pleadings, papers and proceedings in duplicate.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Crill—

Senate Bill No. 29:

A bill to be entitled an act establishing a Geological Survey for the State of Florida, to provide for the appoint-

ment of a State Geologist, to define his duties and to provide for the maintenance of the survey.

Which was read the first time by its title and referred to the Committee on Mining and Phosphate.

By Mr. Hudson—

Senate Bill No. 30:

A bill to be entitled an act requiring railroad companies and terminal companies to furnish separate waiting rooms for white and colored passengers at depots along their lines of railways, and conferring upon the Railroad Commissioners of the State of Florida certain powers and duties in relation thereto.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Hudson—

Senate Bill No. 31:

A bill to be entitled an act relating to the powers and duties of the Railroad Commissioners, with reference to the condition and values of the physical properties and equipments of railroad companies and other common carriers.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Adams—

Senate Bill No. 32:

A bill to be entitled an act to amend Section 462 of the General Statutes of 1906, with reference to sewing machine license.

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Adams—

Senate Bill No. 33:

A bill to be entitled an act to provide for State aid to public schools in this State, to prescribe conditions and make appropriations therefor.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. McCreary—

Senate Bill No. 34:

A bill to be entitled an act constituting a State Text-Book Commission and directing and empowering said Commission to select and adopt a uniform series or system of text-books for use in the public schools of the State of Florida.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. McCreary—

Senate Bill No. 35:

A bill to be entitled an act to amend Section 3394 of the General Statutes of the State of Florida, relating to damage to stock by phosphate plants.

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. McCreary—

Senate Bill No. 36:

A bill to be entitled an act to amend Section 344 of the General Statutes of the State of Florida, relating to compensation of the various County School Boards.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. McCreary—

Senate Bill No. 37:

A bill to be entitled an act to amend Section 775 of the General Statutes of the State of Florida, relating to compensation of County Commissioners.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. McCreary—

Senate Bill No. 38:

A bill to be entitled an act to amend Section 219 of the General Statutes of the State of Florida, relative to directions for printing, etc., ballot.

Which was read the first time by its title and referred to the Committee on Privileges and Elections.

By Mr. McCreary—

Senate Bill No. 39:

A bill to be entitled an act to amend Section 187 of the General Statutes of the State of Florida, relating to publication of list of qualified voters.

Which was read the first time by its title and referred to the Committee on Privileges and Elections.

By Mr. McCreary—

Senate Bill No. 40:

A bill to be entitled an act to amend Section 779 of the General Statutes of the State of Florida, relating to compensation to newspapers for the publication of the Acts of the Legislature.

Which was read the first time by its title and referred to the Committee on Printing.

By Mr. McCreary—
Senate Bill No. 41:

A bill to be entitled an act to amend Section 586 of the General Statutes of the State of Florida, relating to cancellation of tax certificates of Soldiers and Sailors' Home.

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

Mr. Buckman moved that as Senate Bill No. 2 had been referred to the Judiciary Committee, that said committee be requested to return the bill instantler.

Which was agreed to.

The request was made, and the bill was returned.

Mr. Buckman moved that Senate Bill No. 2 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 2, a bill to be entitled an act to amend Section 3851 of the General Statutes of the State of Florida, prescribing the number of the grand jury, was taken up.

Mr. Buckman moved that the rules be waived, and Senate Bill No. 2 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 2 was read a second time.

Mr. Buckman moved that the rules be further waived, and that Senate Bill No. 2 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 2 was read a third time.

Upon call of the roll on the passage of the bill, the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West, Zim.

Yeas—29.

Nays—None.

So Senate Bill No. 2 was passed, title as stated.

A message from the Adjutant General was received.

Mr. Trammell requested that Mr. West of the First District be excused for the rest of the week.

The request was granted.

Mr. Baker requested permission to withdraw Senate Bill No. 3.

The request was granted.

Mr. Canova moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock tomorrow (Thursday), April 4, 1907.

THURSDAY, APRIL 4, 1907.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—29.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

Mr. Adams offered the following—

Senate Concurrent Resolution No. 4:

Senate Concurrent Resolution No. 4, relating to State appropriations and tax levies.

Whereas, The best interest of the taxpayers of the State demand that all appropriations made from the State Treasury shall be safeguarded, and whereas those who are burdened with taxes for the payment of appropriations made should be advised of the amounts and of the uses and purposes of such taxes and expenditures, and whereas, the method heretofore pursued of making general appropriations from the general revenue fund of the State government has not been in accordance with the system prevailing for many years in making appropriations for ordinary State expenses, and whereas, special tax levies are made for pensions and for the State Board of Health, and whereas, it is proper that the taxpayers and citizens of the State should be fully advised of the purposes for which all tax levies are made and of